

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application: Sabbah, et al.

Confirmation No.: 3424

Serial No.: 10/700,032

Group Art Unit: 1657

Filed: 11/03/03

Examiner: AFREMOVA, Vera

For: CARDIAC TRANSPLANTATION OF STEM CELLS FOR THE TREATMENT  
OF HEART FAILURE

Attorney Docket No.: 1059.00096

**CERTIFICATION STATEMENT**

Dear Sir:

I, Kenneth I. Kohn, being duly sworn, do hereby state:

1. The attached Request for Continued Examination is being submitted solely to include documents listed on the attached Information Disclosure Statement, which were part of related PCT Application No. PCT/US02/29595, filed on September 18, 2002, and were forwarded to the United States Patent and Trademark Office by the International Searching Authority, mailed February 5, 2003.

2. The aforementioned documents were not included in the subject US Application, the USPTO was aware of them, and there was no intent to defraud the USPTO.

Respectfully submitted,

KOHN & ASSOCIATES, PLLC

/Kenneth I. Kohn/

Kenneth I. Kohn, Reg. No. 30,955

Customer No.: 48924

Dated: July 17, 2009

**CERTIFICATE OF ELECTRONIC FILING VIA EFS-WEB**

Date of Electronic Filing: July 17, 2009

I hereby certify that this correspondence is being electronically filed  
with the United States Patent & Trademark Office on the above date.

/Natalie Zemgulis/  
Natalie Zemgulis